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DAVIS & BUJOLD, P.L.L.C.  
FOURTH FLOOR  
500 N. COMMERCIAL STREET  
MANCHESTER, NH 03101-1151

In re Application of  
INAGUMA, MITSUHIKO, et al.

Application No. 09/621,527

Filed: July 21, 2000

Attorney Docket No. ADACHI P188USP1

DECISION ON PETITION

This is a decision on the Petition For Withdrawal of Notice Of Abandonment, received in the United States Patent and Trademark Office (USPTO) via facsimile transmission on November 9, 2005.

The petition is **DISMISSED**. Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within TWO MONTHS (2) from the mail date of this decision.

The application was held abandoned for applicant's failure to timely pay the required issue fee and publication fee. The issue fee and publication fee — Part B Fee(s) Transmittal, form PTOL-85B — was received on April 18, 2005 with Certificate of Mailing or Transmission date April 15, 2005, which is after the (3) month statutory period set in the Notice of Allowance — due date April 14, 2005.

Petitioner notes that the Transmittal form had a typographical error and incorrectly indicated a Certificated of Mailing date of April 15, 2005. Further, that the enclosed copy of their associated letter to the client, confirms that the fees were in fact timely paid on April 14, 2005.

Unfortunately, the associated letter to the client only acknowledges the communication with the client on April 14, 2005, but doesn't provide evidence to support mailing of the Transmittal on the same date. Therefore, it can only be determined that the Transmittal was mailed on the date indicated by the executed certificate of mailing.

The holding of abandonment cannot be withdrawn as this time.

Although this petition for withdrawal of the holding of abandonment is being dismissed, other petition remedies are available for bringing about the withdrawal of the holding of abandonment.

File a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). Forms are available at USPTO website <http://www.uspto.gov>

- Under 37 CFR 1.137(a), a petition for the revival of an *unavoidably* abandoned application

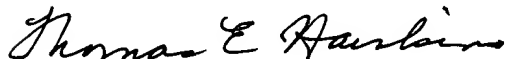
or

- Under 37 CFR 1.137(b), a petition for the revival of an *unintentionally* abandoned application

Further correspondence with respect to the petition for revival under 37 CFR 1.137 should be directed to the Office Of Petition at 703-305-9282 or addressed as follows:

By mail: Commissioner for Patents  
P O Box 1450  
Mail Stop Petitions  
Alexandria, VA 22313-1450

Telephone inquires concerning this decision may be directed to the undersigned at 703-308-9250.



Thomas E. Hawkins  
Paralegal Specialist  
Office of the Director  
Office of Patent Publication